

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **See form PCT/ISA/210**

Applicant's or agent's file reference
BIF116115/MCP/MPA

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/FR2004/002855

International filing date (day/month/year)
05.11.2004

Priority date (day/month/year)
06.11.2003

International Patent Classification (IPC) or both national classification and IPC
A47J27/04, F22B1/28

Applicant
BRANDT INDUSTRIES

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

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Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-19	YES
	Claims		NO
Inventive step (IS)	Claims	1-19	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO
2. Citations and explanations:			
Reference is made to the following document:			
D1: EP-A-0 673 615 (EUROP EQUIP MENAGER)			
27 September 1995 (1995-09-27)			
1. Document D1, which is considered to be the prior art closest to the subject matter of claim 1, describes (the references between parentheses apply to this document):			
A method for steam cooking in a cooking oven (2) provided with a steam generator, said steam generator having a water evaporation vessel and a heating unit (6) in thermal contact with the water evaporation vessel, comprising a cooking phase during which the water supply (via the tube 7) for the water evaporation vessel is regulated.			
Therefore, the subject matter of claim 1 differs from this known method in that:			
said regulation of a water supply comprises the following steps:			

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

- detecting a rise in a temperature in said heating unit
- triggering a supply of water to said water evaporation vessel when said increase is detected.

The subject matter of claim 1 is thus novel (PCT Article 33(2)).

The problem that the present invention is intended to solve can thus be considered to be that of guaranteeing better detection of water depletion in the steam generator.

The solution to this problem, as proposed in claim 1 of the present application, is considered to involve an inventive step (PCT Article 33(3)), because the prior art contains no teaching that would lead the person skilled in the art, when faced with the technical problem, to detect an increase in temperature in said heating unit and thus to adapt the most relevant prior art in order to obtain the solution to this problem as proposed in claim 1.

2. Claims 2 to 10 are dependent on claim 1 and thus also comply, as such, with the requirements of novelty and inventive step of the PCT.
3. The same argument applies *mutatis mutandis* to the subject matter of independent claims 11 and 17 and dependent claims 12 to 16, 18 to 19, which are thus also novel and involve an inventive step.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1. The application fails to comply with the requirements of PCT Article 6 as claim 17 is not clear. This claim contains no technical features and thus does not meet the requirements of PCT Rule 6.3(a).